

REMARKS/ARGUMENTS

Claims 13 has been amended. No new matter has been added.

Claims 1-12 are canceled. Claims 38-131 stand withdrawn from the application.

Applicant respectfully requests reconsideration of claims 13-37.

Claims Rejections – 35 USC 112

Claim 13 was rejected under 35USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The recitation of claim 13, line 4 “or campus communications network may be deployed, said computer” was at issue.

Claim 13 has been amended as per the Examiner’s suggestion to recite: “or campus communications network can be deployed, said computer”. Applicant requests that the rejection now be withdrawn.

Claim rejections under 35 U.S.C. 103(a)

Claims 13 was rejected under 35USC 103(a) as being unpatentable over U.S. Patent No. 5,337,149 issued to Kozah et al (Kozah), in view of U.S. Patent No. 6,509,906 issued to Awe et al (awe hereafter).

Claims 14-37 were rejected under 35USC 103(a) as being unpatentable over U.S. Patent No. 5,337,149 issued to Kozah et al (Kozah), in view of U.S. Patent No. 6,509,906 issued to Awe et al (Awe hereafter), further in view of U.S. Patent No. 5,091,869 issued to Ingram et al (Ingram).

Applicant amends in part and traverses in part. The claims, as amended above, are believed to be non-obvious. Neither of the cited references taken individually or combined teach that which s claimed by applicant’s invention.

Step (a) of Applicant’s claim 13, as amended, recites inputting into a computer one or more files, one or more raster images, one or more vector data, one or more vectors, one or more drawings, or one or more drawing objects which represent in a computer representation all or part of a physical environment in which an in-building or

campus communications network can be deployed. The Kozah reference, on the other hand, is taking on-site, real time measurements.

On page 3, the Office action refers to col. 8, lines 34-55 as being analogous to Applicant's step b) using a computer for creating, formatting, editing or manipulating one or more objects in said computer representation. Applicant has amended step b) to clarify the invention. Step b) of claim 13 now recites using a computer for creating, formatting, and editing or manipulating, one or more objects in said computer representation. Kozah does not use a computer to create an object. Kozah uses a measuring device (12) to take measurements of existing on-site objects. Kozah's CAD software receives the coordinates of the measured points and converts the coordinates to a global coordinate system (col. 8, lines 42-45). In Kozah, the user continues to measure points and the user checks the validity of each point in order to create an element in the CAD program. The Kozah invention will not work without the measuring device (12).

Kozah acquires on-site measurements at a local site using a distance measuring device 12 (camera) in an adjacent room hardwired to a computer. No such measuring device exists in Applicant's invention. Applicant's claims are not directed to acquiring on-site measurements at a specific location. In col. 8, lines 33-34, Kozah explains that FIG. 9 provides an example of steps 7.05 through 7.15 of FIG. 7. As seen in FIG. 7, step 7.06 requires aiming the measuring device (12) on an object, and step 7.07 measures local coordinates using the measuring device. Kozah teaches aiming the measuring device (12), performing the measurement, and moving the measuring device to take another measurement. Once an element is displayed by Kozah, the user is limited to checking the element's validity (col. 8, lines 54-55) – and if needed, the user takes another measurement using the measuring device. This is not the equivalent of using a computer for creating and formatting, and editing or manipulating, one or more objects in said computer representation.” The entire Kozah reference is directed to measuring elements from a specific location 70 (or new measuring location 96) which requires moving measuring device 12 to take each measurement (col. 8, lines 62-64).

Applicant claims in step c) “verifying, using a computer, the sufficiency of said one or more objects... and notifying a user of results of said verification of sufficiency”.

The Examiner refers to col. 8, lines 34-55 and FIG. 9 as being analogous to step (c). However, Applicant points out that the Kozah reference teaches in col. 8, lines 45-46 and again on lines 54-55, that the user checks an element's validity – not the computer. The Examiner also referred to col. 5, lines 11-14, but this passage merely teaches that Kozah's computer (16) is capable of performing computations and supporting a computer aided drafting program. Additionally, nothing in the cited passages (col. 5, lines 11-14, col. 8, lines 34-55 or fig. 9) of Kozah teach or suggest “notifying a user of results of said verification of sufficiency” as claimed in step c).

As the Examiner states on page 3 of the Office Action pertaining to independent claim 13, the Kozah reference does not disclose step d) generating at least one formatted drawing or database wherein said at least one formatted drawing or database, or said one or more objects, or one or more of electrical properties, physical properties, aesthetic properties, and spatial configurations of said one or more objects are transportable between users or between one or more communications engineering or network management applications.” Neither Kozah nor Awe discloses the transportability aspect of the invention as claimed in step d). The Examiner's reference to Awe col. 7, lines 16-20 pertains to layering objects on a display, the reference to Awe's col. 4, lines 45-61 pertains to the grouping objects for a display representation, and the reference to Awe FIG. 8 pertains to displaying the representations on the monitor. None of the cited passages of Awe (and nothing in Kozah) discloses anything to do with transportability of formatted drawings, databases, objects, or various properties and configurations of objects between users or between one or more communications engineering or network management applications.

Kozah is limited to taking actual real-time measurements at a specific location, thus there would be no incentive or motivation for the at least one formatted drawing or at least one formatted database to be transportable between users or between one or more communications engineering network management applications. The purpose of Kozah is to acquire valid, real-time measurements at a given location, and as such there is no incentive for Kozah to generate formatted drawings and databases that are transportable.

Accordingly, applicant respectfully request reconsideration of independent claim 13. The remaining claims provide further limitations to what are believed to be allowable claims and as such are also in condition for allowance.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge Deposit Account 502117, Motorola, Inc, with any fees which may be required in the prosecution of this application.

Respectfully submitted,

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